

Members

Rep. Brian Bosma, Chairperson  
Rep. Russell Stilwell  
Sen. Richard Young  
Sen. Thomas Wyss



# LEGISLATIVE COUNCIL ECONOMIC DEVELOPMENT CORPORATION SUBCOMMITTEE

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Authority: Legislative Council Resolution 6/19/03

## MEETING MINUTES<sup>1</sup>

Meeting Date: July 16, 2003  
Meeting Time: 1:30 P.M.  
Meeting Place: State House, 200 W. Washington  
St., Room 404  
Meeting City: Indianapolis, Indiana  
Meeting Number: 1

**Members Present:** Rep. Brian Bosma, Chairperson; Rep. Russell Stilwell; Sen. Richard Young; Sen. Thomas Wyss.

**Members Absent:** None.

### I. Call to Order

Representative Brian Bosma, Chairperson, called the meeting to order at 1:40 P.M.

### II. Discussion of an Approach for Organizing and Correcting Statutes

The Chairperson discussed the charge of the Subcommittee and introduced the members. The Chairperson then recognized Philip Sachtleben, Executive Director of the Legislative

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Services Agency (LSA), to give a short presentation.

Mr. Sachtleben reviewed the provisions enacted in HEA 1001(2003) which require the Legislative Services Agency to prepare legislation for introduction in the 2004 Session of the General Assembly. He broke the scope of the project into 3 categories:

- (1) To organize and correct statutes affected by the transfer of responsibilities to the Office of Energy Policy by this Act (Source: HEA 1001 (2003), SECTION 261).
- (2) To organize and correct statutes affected by the transfer of responsibilities to the Department of Tourism and Community Development by this Act (Source: HEA 1001 (2003), SECTION 262).
- (3) To organize and correct statutes affected by the transfer of economic development responsibilities to the Indiana Economic Development Corporation by this Act (Source: HEA 1001 (2003), SECTION 263).

Mr. Sachtleben discussed the type of guidance that the LSA needs from the Subcommittee to complete the project. Referring to a memorandum previously mailed to members of the Subcommittee, he identified two issues that need to be resolved before legislative drafting work can begin. These issues needing immediate attention are the following:

ISSUE 1: APPROVAL OF A PROPOSED DIVISION OF DEPARTMENT OF COMMERCE PROGRAMS AMONG THE ENTITIES CREATED BY HEA 1001(2003): Give the Legislative Services Agency additional guidance on which statutory programs to assign to each of the newly created entities.  
 ISSUE 2: APPROVAL OF A PROPOSED ARRANGEMENT OF TEXT IN INDIANA CODE: Approve a general approach for the placement of the corrected text in the Indiana Code.

(The memorandum may be obtained by the public from the Legislative Information Center as Exhibit 1)

He indicated that Appendix A of the memorandum contains a staff proposal that can be used as a basis of discussion for resolution of ISSUE 1. Appendix B of the memorandum contained a staff proposal that can be used as a basis of discussion for resolution of ISSUE 2. He noted that there other substantive issues that need to be resolved. Appendix C of the memorandum identifies a number of these additional issues. However, these issues can be resolved after the initial legislative drafting work begins.

Mr. Sachtleben introduced George Angelone, Deputy Director of the Office of Bill Drafting and Research (OBDAR), to discuss the above issues in detail.

Mr. Angelone began with a discussion of Appendix A. He indicated that Table A-1 in this Appendix identifies all of the programs assigned by statute either to the Department of Commerce or to the Executive Director of the Department of Commerce. The Table further shows a proposed assignment of each program among the entities created by HEA 1001(2003). Mr. Angelone commented that guidance from the Subcommittee was most needed in distinguishing economic development programs, which will be the jurisdiction of the Indiana Economic Development Corporation, from community development programs, which will be the jurisdiction of the Department of Tourism and Community Development. He pointed out that no common scheme of program assignment exists among the states that have created an economic development corporation. He said that Table A-1 treats a program as a community development program if it is currently being performed by the Community Development Staff or the Main Street Staff within the Office of the Lieutenant Governor.

Mr. Angelone was asked how the determination was made for functions with multiple classifications. For example, how were functions now under the Commissioner of Agriculture that have an economic development side to them treated. Mr. Angelone indicated that the proposal in Appendix A treats any program assigned by statute to the Commissioner of Agriculture as outside the scope of the reorganization enacted in HEA 1001(2003). He noted that one rural development program currently is assigned by statute to the Department of Commerce and the remainder are assigned by statute to the Commissioner of Agriculture, the Indiana Rural Development Council, or other entities. He said that Table A-1 identifies the rural development program assigned by statute to the Department of Commerce program as a program to be transferred to the Indiana Economic Development Corporation but does not suggest transferring any of the other rural development programs. He indicated that this issue is one of the issues identified in Appendix C as a subject that the Subcommittee might wish to consider.

The Chairperson deferred consideration of Appendix A until the next meeting. He directed the members of the Subcommittee to go through the materials provided by Mr. Angelone and write down a preference as to the assignment of all of the functions at issue. The Chairperson said that this would weed out the functions that everyone was in agreement on and get the list down to those assignments that need more discussion.

Mr. Angelone discussed Appendix B. He explained that the LSA's proposal involved separating the statutes that are being transferred to the entities created by HEA 1001(2003) from the statutes that deal with the Office of the Lieutenant Governor. He indicated that, although not required by HEA 1001(2003), Appendix B includes a proposal to move the statutes dealing with the Commissioner of Agriculture from Title 4 of the Indiana Code to Title 15 of the Indiana Code. The Subcommittee adopted the proposal in Appendix B by consent. The Chairperson noted that, if testimony presented at a later meeting suggested that this proposal needs adjusting, the Subcommittee would reconsider its action at a later meeting.

Mr. Angelone discussed Appendix C. He indicated that Appendix C identifies 12 issues that are logically related to this type of legislation. He noted that while some of the issues must be addressed before this project can be completed, other issues are optional matters that the Subcommittee may choose not to consider. The Subcommittee discussed various aspects of these issues. The Chairperson then requested that a thirteenth issue concerning the establishment of advisory committees be added to the list. He directed Mr. Angelone to make copies of the memorandum available to the public.

The Chairperson also directed Mr. Angelone to:

- (1) survey the members of the Subcommittee concerning their preferences concerning each issue raised in Appendix A and Appendix C;
- (2) make the survey available to the Governor, the Lieutenant Governor, and any other member of the public who wishes to complete the survey; and
- (3) survey other states that have an economic development corporation to compile comparative information concerning the experience of each state.

He asked Mr. Angelone to compile the results of these surveys for presentation to the Subcommittee at its next meeting.

The Chairperson invited the public to testify at the next meeting of the Subcommittee on the issues raised in Appendix A, B, and C of the memorandum. He authorized Mr. Angelone to collect any written comments submitted by the public before the meeting for presentation to the Subcommittee. The Chairperson also asked that the Lieutenant

Governor and the Office of the Governor give testimony on all of these issues.

### III. Other Business

The Chairperson asked if there was any other business to come before the Subcommittee. Seeing none, the Chairperson set the next meeting date for WEDNESDAY, AUGUST 20, 2003 AT 10 A.M.

### IV. Adjournment

The Chairperson adjourned the meeting at 2:32 P.M.